

Intergovernmental Water Board

Meeting Minutes

November 8, 2006

City of Tigard Town Hall

13125 SW Hall Blvd.

Tigard, Oregon

Members Present: Patrick Carroll, George Rhine, Bill Scheiderich, Dick Winn and Sydney Sherwood (Tigard alternate)

Members Absent: Tom Woodruff

Staff Present: Public Works Director Dennis Koellermeier
IWB Recorder Greer Gaston

1. Call to Order, Roll Call and Introductions

The meeting was called to order at 5:33 p.m.

2. Public Comments: None

3. Approval of Minutes – September 13, 2006

Commissioner Rhine motioned to approve the September 13, 2006, minutes; Commissioner Carroll seconded the motion. The motion was approved by unanimous vote.

4. Discussion of Transferring Surplus Canterbury Property to the City of Tigard for a Neighborhood Park

Commissioner Rhine requested this item be tabled until it could first be considered by the Tigard Water District at their meeting later this month. The item will be revisited at the IWB's December 13 meeting.

5. Update on the Water Building Remodel

Mr. Koellermeier relayed the following information regarding the water building remodel:

- The City has retained an architectural firm and is moving forward with the remodel.
- The project should be completed by June 30, 2007.
- During the remodel, staff currently working in the building will be moved to temporary work space in the auditorium.
- Since the City will be investing a substantial amount of money in the building, Tigard's City Manager and Finance Director would like to

discuss the water building ownership/asset issue at the Board's December or January meeting. The City may offer to buy shares from its partners that have an ownership interest in the building.

6. Update on the Annexation/Bull Mountain Incorporation Legal Challenge

Mr. Koellermeier reported he had asked City Attorney Firestone to provide an abbreviated legal update on this issue. Mr. Koellermeier read the following e-mail from Mr. Firestone:

The Friends of Bull Mountain have withdrawn their motion for a preliminary injunction, but the case remains alive. There will be no action in the litigation until after the election. If the election fails, then I would expect the court challenge to the City's annexation will be dropped and the annexation will proceed without court challenge, although we will likely see a LUBA challenge. Even the LUBA challenge, if filed, might be withdrawn if the election fails. If the incorporation succeeds, then I would anticipate the courts will decide whether the disputed area will be included in Tigard or in Bull Mountain.

Mr. Koellermeier added Mr. Firestone expected to see a LUBA appeal of the City's Cach Creek annexation and that appeal has been filed.

Even if the incorporation fails, the LUBA appeal may still proceed.

7. Discussion of Term Expiration for Commissioners Woodruff and Winn

Mr. Koellermeier advised Commissioner Woodruff's and Commissioner Winn's terms expire at the end of the year. Tigard, represented by Commissioner Woodruff, and King City, represented by Commissioner Winn, will need to appoint or reappoint a member to the Board.

Commissioner Sherwood indicated Commissioner Woodruff intended to remain on the Board.

Since King City's City Manager is unavailable, Commissioner Winn said he didn't know how this issue would be addressed.

8. Informational Items

Mr. Koellermeier:

- pointed out the IWB's 2007 Meeting Schedule had been provided to each Commissioner and noted several meetings would not be held in the water auditorium.
- referred to the recent heavy rain and advised, as of last night, the Bull Run system was shut down because turbidity had exceeded the EPA limit. Tigard anticipated the shut down and planned accordingly. If

turbidity exists for an extended period, ASR recharge may be affected. No supply issues are expected and the system may be down for a week.

- reported the Scoggins Dam acted as a major flood control facility. The reservoir was basically empty and is now 27 percent full after the week's heavy rain.
- reminded the Commissioners of their meeting with the Tigard and Lake Oswego City Councils next Tuesday, November 14, in Lake Oswego.

9. **Non-Agenda Items:** None

10. **Adjournment**

The meeting was adjourned at 5:53 p.m.


Greer A. Gaston, IWB Recorder

Date: Dec. 13, 2006